



2015 SESSION

ADDITIONAL DOCUMENTS

Business Page

[Signed by Chairman]

Roll Call

Standing Committee Reports

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Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

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2015 Legislative

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BUSINESS REPORT

**MONTANA SENATE
64th LEGISLATURE - REGULAR SESSION**

SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

Date: Wednesday, February 18, 2015
Place: Capitol

Time: 3:00 PM
Room: 317-A

BILLS and RESOLUTIONS HEARD:

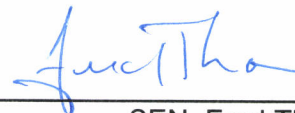
SB 300 - Revise laws regarding pharmacists providing immunizations - Sen. Fred Thomas

SB 302 - Provide aftercare for family members in cases of suicide - Sen. Mary Caferro

EXECUTIVE ACTION TAKEN:

SB 9 DO PASS AS AMENDED
SB 207 DO PASS AS AMENDED
SB 263. MOTION WITHDRAWN

Comments:



SEN. Fred Thomas, Chair

MONTANA STATE SENATE

Roll Call

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

DATE: 2/18/2015

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN FRED THOMAS	X	
VICE CHAIRMAN DAVID HOWARD	X	
SENATOR MARY CAFERRO	X	
SENATOR DIANE SANDS	X	
SENATOR CARY SMITH	X	
SENATOR NELS SWANDAL	X	
SENATOR JONATHAN WINDY BOY	X	



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 2

Madame President:

We, your committee on **Public Health, Welfare and Safety** report that **Senate Bill 9** (first reading copy -- white) **do pass as amended**.

Signed: _____

Fred Thomas
Senator Fred Thomas, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Strike: "50-16-805,"

2. Page 1, line 7.

Following: line 7

Insert: "WHEREAS, it is in the interest of all Montanans to address prescription drug abuse and diversion; and

WHEREAS, health care providers who are subject to the Health Insurance Portability and Accountability Act are permitted to disclose health care information for law enforcement purposes, including the purposes of notifying authorities of suspected criminal conduct that has occurred on a provider's premises and reporting information to lessen a serious and imminent threat to the health or safety of a patient or the public; and

WHEREAS, Montana's Uniform Health Care Information Act is unclear on whether these provisions similarly apply to health care providers who are not subject to the Health Insurance Portability and Accountability Act; and

WHEREAS, it is in the interest of all Montanans for health care providers to report these activities to law enforcement to address, among other matters, prescription drug abuse and diversion and to ensure the safety of Montana communities; and

WHEREAS, the granting of immunity to health care providers for reporting these activities would encourage reporting."

3. Page 2, line 3.

Committee Vote:

Yes 5, No 2

Fiscal Note Required ☐

Strike: "(a)"

4. Page 2, line 7 through line 8.

Strike: subsection (1)(b) in its entirety

5. Page 2, line 21 through page 3, line 6.

Strike: section 3 in its entirety

Renumber: subsequent section

6. Page 3, line 26.

Strike: "(a)"

Following: "information"

Insert: "to federal, state, or local law enforcement authorities"

Following: "50-16-805(2)"

Strike: "(c)"

7. Page 3, line 27.

Following: "was"

Insert: ": (i)"

8. Page 3, line 28.

Following: "faith"

Strike: "and"

Insert: "; (ii)"

9. Page 3, line 29.

Following: "164"

Insert: "; and (iii) to notify the authorities of an activity that the provider in good faith believed constituted evidence of criminal conduct that occurred on the provider's premises or to prevent or lessen a serious and imminent threat to the health or safety of a person or the public"

10. Page 3, line 30 through page 4, line 1.

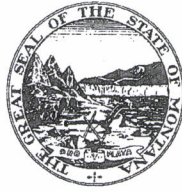
Strike: subsection (8)(b) in its entirety

11. Page 4, line 2.

Insert: "NEW SECTION. Section 4. Two-thirds vote required."

Because [section 2 and section 3] limit governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

- END -



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 2

Madame President:

We, your committee on **Public Health, Welfare and Safety** report that **Senate Bill 207** (first reading copy -- white) **do pass as amended.**

Signed: _____

Fred Thomas
Senator Fred Thomas, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Strike: "AN ACCEPTABLE"

Insert: "A REASONABLY PRUDENT"

2. Page 2, line 6.

Strike: "medically acceptable"

Insert: "reasonably prudent"

3. Page 2, line 10.

Strike: "medically appropriate"

Insert: "reasonably prudent"

4. Page 2, line 22.

Following: "brief"

Strike: ", comprehensive"

Strike: "made"

Insert: "written by a health care provider"

5. Page 3, line 6.

Strike: "medically acceptable"

Insert: "reasonably prudent"

6. Page 3, line 8 through line 9.

Strike: "A" on line 8 through "followed" on line 9

Insert: "For the purposes of this section, a selected course of treatment may be reasonably prudent even though it"

Committee Vote:


Yes 4, No 3

Fiscal Note Required ☐

- END -

SENATE PROXY

I, Senator Windy Bay, hereby authorize Senator Mary Cafaro to vote my proxy before the Senate Public Health meeting held on 2-18, 2015.


 Senator Signature

2-18-15
Date

Said authorization is as follows: *(mark only one)*

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

Bill No./Amendment No.	Aye	No
Amendment No., 901		+
Bill # 9		+
Amendment (S) 2037 AAS		+
↳ SB 020703. AAS		+
SB 207		+
	/	

SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

Sponsor: **Sen. Mary Caferro**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

Sponsor: Sen. Fred Thomas

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.